Nova Scotia

PUBLIC TRUSTEE

ANNUAL REPORT

FOR

FISCAL YEAR ENDING MARCH 31, 2001

NOVA SCOTIA Public Trustee

Suite 201
5151 Terminal Road
PO Box 685
Halifax, Nova Scotia
B3J 2T3

Bus: 902 424-7760
Fax: 902 424-0616

102-02632/

Our File Number

October 30, 2001

The Honourable Michael G. Baker, Q.C.
Minister of Justice
Province of Nova Scotia
5151 Terminal Road, 4th Floor
Halifax, NS B3J 1A1

Dear Mr. Baker:

Pursuant to Section 47 of the *Public Trustee Act* I submit this Annual Report for the fiscal period ending March 31, 2001.

The Financial Statements and Auditor's Report for this fiscal period have been incorporated into and form part of the report.

Respectfully submitted,

M. Estelle Theriault, Q.C.
Public Trustee

MET/dw

file ref. f:\wp\report.pt\baker.01

Printed on paper that contains recycled fibre

TABLE OF CONTENTS

TITLE	PAGE
PUBLIC TRUSTEE PROGRAM OF NOVA SCOTIA	1
Scope of Program	1
Status of Public Trustee	1
GENERAL OBSERVATIONS	2
LAWS AND AMENDMENTS SIGNIFICANT TO PUBLIC TRUSTEE PROGRAM	3
Hospitals Act	3
Adult Protection Act	4
Powers of Attorney Act	4
Designated Residence Provisions - In Amendment to the Social Assistance Act	5
Compensation for Victims of Crime Act	6
VOLUME AND PROGRESS OF CASELOAD	6
REVENUE	7
GUARDIANSHIP OF PERSONS	7
Consent to Medical/Surgical Treatment	7
REPRESENTATIVE LITIGATION	8
RENUNCIATION	8
AUDITOR'S REPORT AND FINANCIAL STATEMENTS	9
SCHEDULES	14

PUBLIC TRUSTEE PROGRAM OF NOVA SCOTIA

SCOPE OF PROGRAM

The Office of Public Trustee is established under the *Public Trustee Act* and functions in reference to that Act and other Statutes wherein specific roles are prescribed for the Public Trustee, e.g. *Hospitals Act*, *Patient's Abandoned Property Act*, *Adult Protection Act*, *Guardianship Act*, *Probate Act*, *Presumption of Death Act*, etc.

The Public Trustee:

(1) manages estates of living persons who need services of a trustee, guardian, attorney or other fiduciary not readily available in the private sector to such living persons;

(2) administers estates of deceased persons and has standing to apply for grant of administration or administration with will annexed in any case where no grant of probate or administration has been issued;

(3) may consent to medical or surgical treatment of a mentally incompetent hospital patient when consent cannot be obtained from the patient's guardian, spouse or next-of-kin;

(4) acts as guardian *ad litem* or representative in litigation for minor, incompetent, deceased, missing or unascertained litigants in respect to whom a court makes representation orders.

STATUS OF PUBLIC TRUSTEE

(1) The Public Trustee is a corporation sole under that name with perpetual succession and an official seal and, as such, the Public Trustee may sue and be sued in that name.

(2) The Public Trustee has the powers and duties given to or imposed upon it by statute and such further powers and duties as the Governor in Council may prescribe.

(3) The person appointed to be Public Trustee has the status of a Deputy Head.

(4) Where the Governor in Council, a Minister of the Government or a Court is empowered to appoint a guardian, custodian, trustee, executor or administrator, the Public Trustee, if it consents to act, may be so appointed.

(5) For administration purposes, the Public Trustee reports to the Minister of Justice.

GENERAL OBSERVATIONS

I have the pleasure to submit for your consideration the Annual Report of the Public Trustee for the Province of Nova Scotia for the fiscal year ending March 31, 2001.

The Public Trustee is very pleased with the results of its effort during the past year. As of March 31, 2001 the Public Trustee has 453 active files (see Schedules "A" and "B"). The majority of the files are concentrated in the following areas: - adults estates living (142), infants estates living (147) and estates of deceased individuals (112).

The office continues to provide information and guidance about guardianship, trust administration and deceased estates to the public, police, social workers, lawyers and the judiciary. The Public Trustee had 298 inquiry files in the past year, an increase from 257 last year for an increase of 13.7%.

The Public Trustee provides its financial and legal services throughout the province from its one office in Halifax. The increased use of computers, inter-net and facsimile machines have allowed the Public Trustee to render its services more efficiently throughout the province.

Although the staff complement has remained the same over the past four years, the value of the assets under our management has increased over 22%. At the end of the fiscal year 2000/01 the value of the assets under management was $20,909,650. The audited financial statements for the period are attached to this report.

We continue to screen all requests for the Public Trustee's involvement in a case very carefully. We remain acutely aware of our limited physical resources and the growing elderly population. It is important that the resources are available to assume responsibility when the needs of a vulnerable person require them.

The Public Trustee is acutely aware of the need to reduce the costs of the program and still provide its valuable service to the Bench, the Legal Bar and the citizens of this province.

Public expenditures for the general operating costs of the Public Trustee program (excluding rent) are funded by allocations from one of the global appropriations voted to the Department of Justice. Funding projected and actually allocated to the Public Trustee program for the fiscal period ended March 31, 2001 was as follows:

FISCAL PERIOD	FORECAST	ACTUAL
ended March 31, 2001	$647,000.00	$629,836.00

The rental costs for the Public Trustee Office are absorbed in the budget of the

Department of Transportation and Public Works. The expenditure for rent in this fiscal year was $35,765.00.

The total public expenditures for the program total $665,601.00. In an attempt to reduce the costs of running the Public Trustee program the Public Trustee has carefully watched and screened all its expenditures.

The Public Trustee earns revenue from the performance of its duties as trustee/guardian of living estates and as administrator of deceased estates. The revenue earned from these services in this fiscal year is $462,175.00, an increase from the previous year's revenue of $436,820.00. We exceeded our projected revenue target. This revenue is applied toward the costs of operating the Public Trustee program.

The Public Trustee also earned revenue and income in its Special Reserve Fund in the amount of $56,571.00. This revenue is credited to the general revenue of the province

Totalling the fees the Public Trustee earned from its trustee/guardian/administrator services and the income earned from its Special Reserve Fund the total income earned by the Public Trustee equalled $518,746.00, an increase from last year's total of $494,856.00. This is an increase in total revenue of 4.83% in one year.

Taking into account the total revenue earned from all sources by the Public Trustee the cost of running this valuable service was reduced to $146,855.00 from $193,692.00 last year or a reduction of 24%.

The Public Trustee acknowledges and thanks its staff members who have continued to provide courteous effective service to clients and who have wholeheartedly involved themselves in their responsibilities. Without their expertise and commitment the Public Trustee would not have been able to attain its many goals.

LAWS AND AMENDMENTS SIGNIFICANT TO THE PUBLIC TRUSTEE PROGRAM

HOSPITALS ACT

Section 59 and related sections of the *Hospitals Act* proclaimed in force April 1, 1979 created a mechanism whereby the Public Trustee, being notified by a hospital to do so, may "assume management" of the estate of a patient who has no guardian and is unable to administer his own estate. Hospital officials and community care officials had been leading proponents of that mechanism. They implemented it immediately. It became and continues to be the source of many of the Public Trustee's growing caseload of adults' estates (living). Of the 29 new adults' estates (living) files opened in the fiscal year ending

March 31, 2001, 14 originated from Section 59 referrals. Many of the individuals referred to the Public Trustee require the services of a full time guardian under the *Incompetent Persons Act*. In such cases the Public Trustee on its own initiative may apply for this appointment.

On some occasions, the referrals from the hospitals do not become permanent files in the Public Trustee Office. However, the Public Trustee, through its investigative powers does assist the hospitals and the Department of Health to ascertain the extent of the patients' assets and incomes. This is crucially important if the patient requires placement in a nursing care facility.

ADULT PROTECTION ACT

Enacted and in force in 1985 this statute contains special references to the Public Trustee being notified by the Minister of Community Services, or designate, S.13, or by the Family Court S.9(4), to intervene in the estate of one who is thought to be (or adjudged by the Court to be) "an adult in need of protection". The effect of S.13 is similar to the effect of S.59 of the *Hospitals Act* in that it authorizes and empowers the Public Trustee to assume immediate management of the estate of a living adult. Section 9(4) merely identifies a case in which the Public Trustee might invoke its standing (*Public Trustee Act*, S.5) to seek an *Incompetent Persons Act* Guardianship Order in respect to the estate of one who has been adjudged to be an adult in need of protection.

The Public Trustee received referrals from Adult Protection in the fiscal year covered by this report. The workers have come to recognize which files require the protective intervention of the Public Trustee. The Public Trustee has developed a good working relationship with the Adult Protection workers thus providing better services to those in need.

POWERS OF ATTORNEY ACT

Enacted in 1988 to validate "enduring Powers of Attorney" the *Powers of Attorney Act*, c.352, R.S.N.S. 1989 contains references to the Public Trustee. Section 4 provides that the attorney and not the Public Trustee shall administer a patient's estate pursuant to S.59 of the *Hospitals Act* if the instrument of enduring power of attorney "includes a provision expressly excluding the operation of subsection (2) of Section 59 and the attorney wishes to act".

Subsection (2) of s. 5 provides that an attorney shall, when the Court so orders, submit his accounts to the Public Trustee for approval.

Subsection (3) of s. 5 provides that an attorney may apply to the Court for an Order

substituting another person as attorney upon giving notice of the application to the Public Trustee.

Subsection (4) of s .5 provides that if an attorney voluntarily submits his accounts to the Public Trustee the Public Trustee "shall consider the accounts when submitted".

The courts have not utilized Sections 5(2) and (4) during the past fiscal year. Nevertheless, the Public Trustee does receive many calls from the public seeking general information about Enduring Powers of Attorney. Many of these calls deal with the questions of accountability and the concerns individuals have on the manner the attorney is managing the trust funds.

We have had one referral under Section 5(3) of the *Powers of Attorney Act*. In this file the current attorney acting under the appointment wished to be discharged and a new attorney appointed. The Public Trustee was served with notice of the application and it provided a protective review of the case. In this case the donor of the power of attorney was no longer competent.

DESIGNATED RESIDENCE PROVISIONS - IN AMENDMENT TO THE *SOCIAL ASSISTANCE ACT*

The purpose of this amendment is to protect from liability to respond to nursing home care costs the principal residence (designated residence) of one who must leave that residence to reside in a nursing home. When the amendment was proclaimed in 1988 the Public Trustee carried on its inventory of estates' assets 15 properties eligible for designation pursuant to S.8 of the *Social Assistance Act*. This has been a floating inventory. It expands or shrinks unpredictably as properties are added or disposed of. As at March 31, 2001 the Public Trustee carried 11 such properties.

Most designated residences on our caseload are vacant and will remain vacant indefinitely in consequence of the owners being in need of nursing home care. Prior to the subject amendment a trustee or guardian being responsible to manage the estate would try to manage the residence productively, or if productive management proved to be impracticable, sell the residence to pay debts or to protect the estate from loss through waste and dilapidation. Further, if incomes of the estate were not sufficient to cover care costs and other capital assets were depleted, the residence would be sold to provide for care costs. The amendment has created a series of dilemmas for the Public Trustee as to when a residence should be disposed of, as to how it should be managed or maintained in the meantime, and as to who among persons potentially to become heirs-at-law or testamentary beneficiaries should be permitted use, occupancy or control of it.

In some cases the Public Trustee has had to sell a client's designated residence due to the lack of funds to maintain the residence (all the client's income must be used to pay nursing home care costs). The Supreme Court has ruled that if the designated residence is sold,

for whatever reason, the funds are subject to respond to care costs.

COMPENSATION FOR VICTIMS OF CRIME ACT

The Criminal Injuries Compensation Board as constituted in 1981 under the *Compensation for Victims of Crime Act*, when making an award payable to a minor or to an adult who "is of unsound mind or in the opinion of the Board is incapable of managing his own affairs" may order that the award be paid to the Public Trustee in trust for the victim; S.31(3).

The *Compensation for Victims of Crime Act* and the *Victims' Rights and Services Act* were amended in the 1992 session of the Nova Scotia legislature. As a result of these amendments there has been a significant change in the process in which compensation awards are to be paid. The Criminal Injuries Compensation Board has been disbanded.

In the 1981 legislation the awards entrusted to the Public Trustee's office were monetary awards for pain and suffering. Under the new legislation the monetary awards for pain and suffering have been replaced with awards for counselling services.

The new legislation does allow other types of lump sum awards and there is the provision that these awards may be paid to the Public Trustee to be administered for the benefit of the person. During the past fiscal year no such referrals have been made. The Public Trustee continues to administer a number of trusts referred to it under the previous legislation. As each child reaches the age of majority the trust funds are surrendered to the child.

VOLUME AND PROGRESS OF CASELOAD

The number of files opened and the number of files closed during the fiscal year changed insignificantly over the previous fiscal year, the only significant change being an increase in the number of deceased estates and infant estates opened (see Schedules, "A", "B", "C" and "D").

The Public Trustee has had 298 "Inquiry" referrals. The Public Trustee provides information and guidance to the public and lawyers with cases which potentially could come to the Public Trustee for action. This provision of information is one of the important mandates of the Public Trustee Office. This service does not generate any fees for the office although it does entail significant time commitment.

Each living estate continues under administration until the principal is no longer under legal disability, dies or until his/her capital and income are exhausted. A living estate presents all of the problems related to ascertainment, realization and distribution of property likely to arise in the course of administering a deceased's estate plus a multitude of problems related to the lifetime needs of the client. The living estates caseload represents an extremely heavy demand upon resources.

REVENUE

See Schedules "E" and "E1".

The fees earned by the Public Trustee for managing adults living and infants trusts are based on a scale suggested by the Supreme Court. Fees awarded by the Probate Court in deceased estates are based on a percentage of the estate assets. There has been a continued increase in fees earned over the years. These funds help reduce the costs of maintaining the Public Trustee program.

Due to the limited staff in the office the Public Trustee generally is the trustee of living estates of last resort only. Efforts are being taken by the Public Trustee and its staff to work as efficiently as possible in the hope that it will be able to undertake and administer the estates which require our assistance.

GUARDIANSHIP OF PERSONS

CONSENT TO MEDICAL/SURGICAL TREATMENT

Since proclamation in 1979 of s. 54(2) and s. 60(2) of the *Hospitals Act* the Public Trustee has been eligible, *ex officio*, to consent to treatment of a mentally incapacitated hospital patient who has no guardian, spouse or next-of-kin available and willing to consent.

No resources have been allocated to assist the Public Trustee specifically in that function. It would be beneficial to have resources to obtain independent medical opinions in some of the matters referred to the Public Trustee for consent to treatment. Applications for consent tend to be presented urgently and on short notice. The Public Trustee refuses to consider any application for consent before the applicant has exhausted all reasonable efforts to locate and obtain the consent of another who is eligible to consent on behalf of the patient. The number of medical consents sought from the Public Trustee was 22.

It is also important to note that the Public Trustee only has power to give consent to treat a patient while in a hospital. It has no power to consent to treat incompetent people who are out in the community. The Province of Nova Scotia does not have an Official Guardian. I have received numerous calls from the public and social workers concerning the void that does exist in the provincial system. I believe this is an area that the Province of Nova Scotia should review. The implementation of a properly funded Official Guardian Office is highly recommended.

REPRESENTATIVE LITIGATION

The Public Trustee is eligible for appointment to act as guardian *ad litem* or representative in litigation of mentally incompetent adults, minors, missing persons, unascertained persons and estates of deceased persons and any other interest entitled to sue or be represented in a proceeding. When acting pursuant to an *Incompetent Persons Act* Guardianship Order the Public Trustee is *ipso facto*, unless the court otherwise orders, guardian *ad litem* of the incompetent. Further, to accommodate the Bar and the Court, the Public Trustee occasionally consents to act, if appointed by the Court to act, as guardian *ad litem* or representative of a person or deceased person or interest that is not otherwise on the Public Trustee's caseload (see Schedules "H" and "H1"). No resources have been allocated to the Public Trustee specifically for that function. No fees are awarded to the Public Trustee by the courts if this appointment is undertaken. This type of appointment is normally a major time commitment on behalf of the Public Trustee.

RENUNCIATION

In certain fact situations, more particularly defined in Sections 15, 23 and 24 of the *Public Trustee Act* and in Section 21 of the *Probate Act*, the Public Trustee "is entitled to apply for and to receive a grant of letters of administration or letters of administration with will annexed of the estate" of a deceased person "in priority to all other persons". The Public Trustee will on occasion renounce its priority if it feels that the administration of the estate can be properly conducted by the party seeking administration. By virtue of s. 36 of the *Public Trustee Act* the Public Trustee is empowered in a case where "the Public Trustee is entitled to take out letters of administration 'to' authorize and appoint administration" and "the Court of Probate shall upon the application of a person so authorized and appointed by the Public Trustee as aforesaid grant to such applicant letters of administration". Customarily the Public Trustee declines to function pursuant to s. 36 of the *Public Trustee Act* and prefers to leave the determination to the Court of Probate. Twenty-five renunciations were given by the Public Trustee in the fiscal year ending March 31, 2001 (see Schedule "G").

NOVA SCOTIA Office of the Auditor General

1888 Brunswick Street
Suite 302
Halifax, Nova Scotia,
B3J 3J8

Bus: 902 (902) 424-5907
Fax: 902 (902) 424-4350

AUDITOR'S REPORT

To the Minister of Justice; and
To the Public Trustee

I have audited the balance sheet of the Public Trustee Trust Funds as at March 31, 2001 and the statement of continuity of assets for the year then ended. These financial statements are the responsibility of the Public Trustee. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In common with many trust funds, it is not possible to verify by audit procedure that all the assets of any given trust actually came under the administration of the Public Trustee. Accordingly, my verification of trust assets was limited to those recorded in the records.

In my opinion, except for the effect of adjustments, if any, which I might have determined to be necessary had I been able to verify the completeness of assets of the trust funds, these financial statements present fairly, in all material respects, the financial position of the Public Trustee Trust Funds as at March 31, 2001 and the continuity of assets for the year then ended in accordance with Canadian generally accepted accounting principles.

E.R. Salmon, F.C.A.
Auditor General

Halifax, Nova Scotia
June 1, 2001

PROVINCE OF NOVA SCOTIA
PUBLIC TRUSTEE TRUST FUNDS
BALANCE SHEET
AS AT MARCH 31, 2001

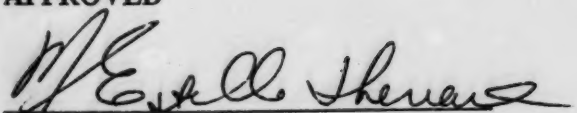
ASSETS

	2001	2000
Estates and Trusts		
Cash	$ 1,079,254	$ 191,941
Securities, real estate and other assets (Note 3)	17,288,339	16,765,882
Common Fund securities (Note 4)	1,249,794	1,304,794
	19,617,387	18,262,617
Special Reserve Fund (Note 5)		
Cash and securities	1,292,263	1,192,613
	$20,909,650	$19,455,230

LIABILITIES

Estates and Trusts		
Estates and trusts balances	$19,617,387	$18,262,617
Special Reserve Fund (Note 5)		
Restricted funds	1,223,171	1,136,042
Funds transferable to Province of Nova Scotia	69,092	56,571
	1,292,263	1,192,613
	$20,909,650	$19,455,230

APPROVED



Public Trustee
M. Estelle Theriault, Q.C.

PROVINCE OF NOVA SCOTIA
PUBLIC TRUSTEE TRUST FUNDS
STATEMENT OF CONTINUITY OF ASSETS
FOR THE YEAR ENDED MARCH 31, 2001

	Estates and Trusts	Special Reserve Fund	Fees Earned	2001 Total	2000 Total
Balance, beginning of year	$18,262,617	$ 1,192,613	$ -	$19,455,230	$19,017,843
Add:					
Assets acquired during the year	12,737,683	-	-	12,737,683	8,949,456
Income earned	789,182	-	-	789,182	718,090
Fees earned	-	-	462,175	462,175	436,820
Interest earned on Special Reserve Fund investments	-	69,092	-	69,092	56,571
Excess interest transferred from Common Fund	-	87,129	-	87,129	79,505
	13,526,865	156,221	462,175	14,145,261	10,240,442
Less:					
Distributions of estates and trusts	11,851,306	-	-	11,851,306	9,135,084
Transfers to the Province					
Fees	-	-	462,175	462,175	436,820
Undistributable estates and trusts (per Section 28)	320,789	-	-	320,789	173,115
Investment income earned on Special Reserve Fund	-	56,571	-	56,571	58,036
	12,172,095	56,571	462,175	12,690,841	9,803,055
Balance, end of year	$19,617,387	$ 1,292,263	$ -	$20,909,650	$19,455,230

PROVINCE OF NOVA SCOTIA
PUBLIC TRUSTEE TRUST FUNDS
NOTES TO FINANCIAL STATEMENTS
MARCH 31, 2001

1. Authority

The Office of the Public Trustee was established pursuant to the Public Trustee Act. The Public Trustee is empowered to perform the duties of a guardian, custodian, trustee, and executor or administrator of an estate. All investments by the Public Trustee are to be made in accordance with the Trustee Act.

2. Accounting Policies

These financial statements have been prepared in accordance with Canadian generally accepted accounting principles, modified by the following policies.

a) The Office of the Public Trustee uses a cash basis of accounting. These financial statements do not include accrued interest and other receivables, as well as accrued fees and other payables.

b) The market value of stocks and bonds at year end is not disclosed in the financial statements.

3. Securities, Real Estate and Other Assets

Securities consist of deposit certificates, bonds, debentures and stocks. Securities purchased by the Public Trustee are valued at cost. Securities taken over by the Public Trustee are valued at market value as at the date of death for estates of deceased persons or as at the date that control is assumed for all other estates.

The Public Trustee is responsible for administering certain other assets such as real estate, personal effects and chattels. Real estate is valued at estimated market value based on annual assessments for municipal tax purposes. Personal effects and chattels are valued at estimated market value as at the date control is assumed. If market value is not readily ascertainable, they are each recorded at a nominal value of $1.

4. Common Fund Securities

Section 30 of the Public Trustee Act permits the Public Trustee to invest monies, not subject to any express trust or direction for investment thereof, in a Common Fund. Investments of the Common Fund are valued at cost.

PROVINCE OF NOVA SCOTIA
PUBLIC TRUSTEE TRUST FUNDS
NOTES TO FINANCIAL STATEMENTS
MARCH 31, 2001

5. Special Reserve Fund

Section 32 of the Public Trustee Act provides for the establishment of a Special Reserve Fund. The purposes of the Fund are to provide for any deficiencies between income earned on investments of the Common Fund and interest required to be paid to estates comprising the Common Fund; and also to provide for any deficiency between the aggregate amount of sums invested and the realized value of investments of the Common Fund.

The Fund consists of investment income earned on Common Fund securities in excess of interest paid to Common Fund estates. Income earned on securities held in the Special Reserve Fund also forms part of the Fund.

Income earned on securities held in the Special Reserve Fund is eligible for transfer to the Province. The remainder of the Fund is restricted to the purposes described above.

6. Operating Costs

Operating costs of the Office of the Public Trustee are absorbed by various government departments and are not reflected in the statement of continuity of assets. These costs are offset by fees charged for administering estates and by investment income.

	2001	2000
Department of Justice		
- Salaries and benefits	$ 590,536	$ 619,457
- Other operating costs	39,300	36,751
Department of Transportation and Public Works		
- Rent	35,765	32,340
	665,601	688,548
Less transfers to Province		
- Fees	462,175	436,820
- Special Reserve Fund income	56,571	58,036
	518,746	494,856
Net cost to the Province	$ 146,855	$ 193,692

PUBLIC TRUSTEE STATISTICS

SCHEDULE "A"

CASES ACTIVE AS OF MARCH 31, 2001

ESTATES AND TRUSTS

Estate of Deceased	Adults Estate (Living)	Infants Estate (Living)	Undistributable Estate or Trust	Missing Person's Estate	Patients' Abandoned Property Act	Specific Trust	TOTAL
112	142	147	3	4	2	11	421

REPRESENTATIVE LITIGATION

Presumption of Death Act	Missing/ Unascertained Persons	Survival of Actions Act	Guardian *ad litem* of Incompetent Adults	Guardian *ad litem* of Infants	
1	1	27	1	2	32
				GRAND TOTAL:	453

REQUESTS, COMPLAINTS, INQUIRIES, LITIGATION, REFERRALS

Individual General Inquiries April 1, 2000 - March 31, 2001	TOTAL:	298

PUBLIC TRUSTEE STATISTICS

SCHEDULE "B"

VOLUME AND PROGRESS OF CASELOAD FROM YEAR TO YEAR - ESTATES AND TRUSTS ONLY

FISCAL YEAR	VOLUME AT START	NEW CASES ADDED	CASES CLOSED	VOLUME AT YEAR END
April 1/00 - March 31, 01	415	144	138	421
April 1/99 - March 31/00	440	110	135	415
April 1/98 - March 31/99	456	125	141	440
April 1/97 - March 31/98	435	132	111	456
April 1/96 - March 31/97	440	112	117	435

PUBLIC TRUSTEE STATISTICS

SCHEDULE "C"

BREAKDOWN OF CASES CLOSED - ESTATES AND TRUSTS

FISCAL YEAR ENDING:	ESTATE TOTAL OF DECEASED	ADULT'S ESTATE (LIVING)	INFANT'S ESTATE (LIVING)	UNDISTRIBUTABLE ESTATE OR TRUST	MISSING PERSON'S ESTATE	PATIENTS' ABANDONED PROPERTY ACT	SPECIFIC TRUST	
March 31/01	52	51	22	5	5	1	2	138
March 31/00	62	38	24	3	0	2	6	135
March 31/99	57	54	23	4	1	0	2	141
March 31/98	43	37	22	3	1	2	3	111
March 31/97	55	32	26	3	Nil	Nil	1	117

PUBLIC TRUSTEE STATISTICS

SCHEDULE "D"

BREAKDOWN OF NEW CASES ADDED - ESTATES AND TRUSTS

FISCAL YEAR ENDING:	ESTATE OF DECEASED	ADULT'S ESTATE (LIVING)	INFANT'S ESTATE (LIVING)	UNDISTRIBUTABLE ESTATE OR TRUST	MISSING PERSON'S ESTATE	PATIENTS' ABANDONED PROPERTY ACT	SPECIFIC TRUST	TOTAL
March 31/01	72	29	33	7	1	1	1	144
March 31/00	55	32	19	2	Nil	1	1	110
March 31/99	44	43	25	2	4	1	6	125
March 31/98	68	42	14	2	3	1	2	132
March 31/97	55	40	13	3	Nil	1	Nil	112

PUBLIC TRUSTEE STATISTICS

SCHEDULE "E"

FUNDS TRANSFERRED TO DEPARTMENT OF FINANCE

YEAR ENDING	PUBLIC TRUSTEE FEES	SPECIAL RESERVE FUND INVESTMENT INCOME	*SECTION 28*
	Revenue *1	Revenue	Trust Funds *2
March 31, 2001	$462,175.00	$56,571.00	$320,789.00
March 31, 2000	$436,820.00	$58,036.00	$173,115.00
March 31, 1999	$376,060.00	$46,882.00	$749,865.00
March 31, 1998	$369,413.00	$55,241.00	$232,773.00
March 31, 1997	$329,493.00	$54,630.00	$278,649.00

*1 Fees of counsel and solicitor, proctor's fees, administrator's commission collected from estates.

*2 May be subject of claims, *Public Trustee Act*, s. 35.

PUBLIC TRUSTEE STATISTICS

SCHEDULE "E1"

YEAR ENDING	COMMON FUND INVESTMENT INCOME TRANSFERRED TO SPECIAL RESERVE FUND	SPECIAL RESERVE FUND ACCUMULATED NON-TRANSFERABLE EQUITY
March 31, 2001	$87,129.00	$1,216,949.00
March 31, 2000	$79,504.00	$1,136,042.00
March 31, 1999	$85,386.00	$1,056,537.00
March 31, 1998	$55,208.00	$971,151.00
March 31, 1997	$67,227.00	$915,943.00

PUBLIC TRUSTEE STATISTICS

SCHEDULE "F"

CONSENT TO MEDICAL/SURGICAL TREATMENT

YEAR ENDING	NUMBER OF CONSENTS
March 31, 2001	22
March 31, 2000	23
March 31, 1999	29
March 31, 1998	13
March 31, 1997	18

SCHEDULE "G"

RENUNCIATIONS

YEAR ENDING	NUMBER OF RENUNCIATIONS
March 31, 2001	25
March 31, 2000	22
March 31, 1999	6
March 31, 1998	14
March 31, 1997	8

PUBLIC TRUSTEE STATISTICS

SCHEDULE "H"

REPRESENTATIVE LITIGATION CASES OPENED

FISCAL YEAR ENDING:	PRESUMPTION OF DEATH ACT	MISSING/ UNASCERTAINED PERSONS	SURVIVAL OF ACTIONS ACT	GUARDIAN *ad litem* OF INCOMPETENT ADULTS	GUARDIAN *ad litem* OF INFANTS	TOTAL
March 31, 2001	Nil	Nil	2	Nil	1	3
March 31, 2000	Nil	Nil	2	1	1	4
March 31, 1999	2	1	4	Nil	Nil	7
March 31, 1998	Nil	1	4	Nil	Nil	5
March 31, 1997	Nil	Nil	4	Nil	1	5

PUBLIC TRUSTEE STATISTICS

SCHEDULE "H1"

REPRESENTATIVE LITIGATION CASES CLOSED

FISCAL YEAR ENDING:	PRESUMPTION OF DEATH ACT	MISSING/ UNASCERTAINED PERSONS	SURVIVAL OF ACTIONS ACT	GUARDIAN ad litem OF INCOMPETENT ADULTS	GUARDIAN ad litem OF INFANTS	TOTAL
March 31, 2001	2	Nil	11	Nil	3	16
March 31, 2000	Nil	1	1	Nil	Nil	2
March 31, 1999	Nil	Nil	2	Nil	1	3
March 31, 1998	Nil	Nil	1	1	Nil	2
March 31, 1997	1	1	Nil	Nil	Nil	2